

• U. S. vs. MARSHALL, JERRY GEORGE (26)

Felony ☒ JUDGE/Assigned Trial
 Minor Offense ☐ MAGISTRATE 8509
 Other Misdemeanor ☐ 1085 4
 District Office 1-7-76

Case Filed
 Day Mo. Yr. Docket No. Def.
 11 11 75-CR-152 - 1
 No. of 1
 Defdnts

I. CHARGES

U. S. CODE SECTION
 18:1708
 18:495

OFFENSES
 Possession of check stolen from mail
 Counterfeiting and Forgery
 Ct. 1- 5 yrs. &/or \$2,000
 Ct. 2&3-10 yrs. &/or \$1,000
Cts 1+3 dismissed 12-10

COUNTS
 1
 2 & 3

MAGR. CASE NO.

BAIL • RELEASE

☐ Personal Recog.
☐ Unsecured Bond
☐ Conditional Release

Set (0000)
 \$ 5
 11-11-75
 date

☐ 10% Deposit
☒ Surety Bond
☐ Collateral

☒ Bail Not Made
☐ Bail Status Changed
☐ 3rd Party Custody
☐ PSA
 (See Docket)

ATTORNEYS

U.S. Attorney or Asst.
 Ben F. Baker, Asst.

Defense: ☒ CJA, ☐ Ret; ☐ Waived, ☐ Self, ☐ None ☐ Other, ☐ LPD, ☐ LCD
 Don McCorkle, Jr.
 1424 South Boston PH: 584-5211
 Tulsa, Okla. 74119

II. KEY INTERVALS & DATES

ARREST	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
11-18-75 U.S. Custody Began on Above Charges 11-18-75	11-11-75 Information <input type="checkbox"/> Waived <input type="checkbox"/> Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	11-19-75 1st Plea " " Final Plea 12-10-75	Trial Set For 1-12-76 <input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Nolo <input checked="" type="checkbox"/> Guilty	Disposition 1-7-76 <input checked="" type="checkbox"/> Convicted <input type="checkbox"/> Acquitted <input type="checkbox"/> Dismissed <input type="checkbox"/> Nollo/Discontinued*

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/No.	INITIAL APPEARANCE	INITIAL/No.	OUTCOME	
Summons	Issued			PRELIMINARY EXAMINATION OR REMOVAL HEARING		Dismissed <input type="checkbox"/> Held for District GJ <input type="checkbox"/> Held to Answer to U. S. District Court <input type="checkbox"/> AT: Magistrate's Initials	
Arrest Warrant	Served			<input type="checkbox"/> Waived <input type="checkbox"/> Not Waived <input type="checkbox"/> Intervening Indictment			
COMPLAINT				Tape No.	INITIAL/No.		
OFFENSE (In Complaint)							

IV. MAGISTRATE & DISTRICT COURT DOCKET ENTRIES

* Show last names and suffix numbers of other defendants on same indictment/information		V. Excludable Delay			
DATE	PROCEEDINGS	(a)	(b)	(c)	(d)
11-11	Record vote of the Grand Jury Concurring, fld. in Open Ct.v				
11-11	Indictment, filed in Open Court. Bond set at \$5,000.00, C/S. (AEB-J)v				
11-12	Warrant issued. v	2	11-11-75	M	
11-17	Petition for writ h. c. ad prosq, in re arr. to be held on 11-19-75, filed. ph				
11-17	Order Granting writ HC ad prosq,/signed & filed.(AEB-J)b	3	11-17-75	V	
11-17	Writ issued. ph				
11-17	MO: Case set for arraignment on 11-19-75, 10:00 A.M.(AEB-J)b				
11-18	Before MLB, Mag. Advised of am't. of bail and counsel apptd.				
11-19-	Case called for arraignment. Deft. present & represented. Govt. represented. Deft acknowledges receipt of indict. & is arraigned. Deft. enters plea of NOT GUILTY to Cts. 1,2&3 Deft. given 10 days to file motion; Govt. 5 days to respond Case set for trial on 1-12-76, 19:30 A.M. Deft. remanded to USM.(AEB-J)b				
12-1-75	MO: Case set for jury trial 1-12-76, 9:30 A.M.(AEB-J)b nts				
12-4-75	MO: Case set for change of plea on 12-10-75, mld 10:00 A.M.(AEB-J)b nts mld				
12-5	Petition for Writ of H.C. ad prosequendum in re 12/10/75, fld. v	3	12-5-75	V	

DATE	IV. PROCEEDINGS (continued)	V. EXCLUDABLE DELAY				Interval (per Section II)	Start Date End Date	Ltr. Code	Total Days
		(a)	(b)	(c)	(d)				
12-9-75	WHCAP, ret. & filed; deft. Marshall transported from Rogers Co. Jail, Claremore, Ok. to Fed. Bldg., Tulsa Ok. on 11-18-75; and returned to Rogers Co. Jail on 11-19-75. g	2 3	<u>11-18-75</u> <u>11-18-75</u>	M V	8 2				
12-10	Order, filed, granting WHCAP in re 12-10-75. (AEB-J)v								
12-10-	Case called for change of plea. Deft. present & represented. Govt. represented. Deft. placed under oath. Deft. w/draws plea of not guilty & enters plea of GUILTY as to Ct. 2, & is adjudged GUILTY as charged in Ct. 2. Govt. moves for dismissal of Cts. 1 & 3. Order for dismissal as to Cts. 1 & 3 signed & filed in open court. Deft. waives jury; waiver signed & filed in open court. Indict. read. Ct. order pre-sentence report. Sentence set for 1-7-76, 10:00 A.M. Deft. remanded to USM.								
12-10-75	Order of Dismissal as to Cts. 1 & 3, signed & filed. (AEB-J)b								
12-12-75	WHCAP, ret. & filed: deft. transported from Rogers County Jail, Claremore, to USDC, Tulsa, Ok., and returned to Rogers County Jail, Claremore, all 12-10-75.g	3	<u>12-10-75</u>	V	6				
1-5-76	Petition for WHCAP in re 1-7-76, fld. v w/i (o)	3	<u>1-5-76</u>	V					
1-7-76	Order, filed, granting WHCAP. (AEB-J)ph copy to Ben Baker								
1-7-76	Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & co. asked if they have anything to say before sentence is pronounced. Judgment & Sentence - Jerry George Marshall Atty. Gen. - Two (2) years. One year of sentence to run concurrently with State sentence Deft. is now serving. (AEB-J)b								
1-7-76	Judgment & Commitment, filed & entered. (AEB-J)b								
1-7-76	Two c/c of J&C to USM. b								
1-13	Return on Warrant for Arrest of Deft., filed. Rec'd & executed 1-12-76. Subject before Court 1-7-76 on writ (rec'd 2 yr. sent.). v								
1-13	Return on WHCAP in re 1-7-76, filed. Rec'd writ 1-5-76 & executed it on 1-7-76 by delivering deft. Marshall to U.S. Dist. Ct. in Tulsa & returning him to Rogers Co. Jail. v	3	<u>1-7-76</u>	V	3				
1-16	WHCAP, ret. & filed: Jerry George Marshall transported to Tulsa from Rogers County Jail, Claremore on 1-12-76 and returned to Rogers County Jail, Claremore, on 1-13-76. g								
3-1	Deft's mo. for deferred time to start sentence, filed. ph <i>to Steve</i>								
4-14	Return on J&C, fld. Executed by delivering deft. to U.S. Med. Center for Fed. Prisoners, Springfield, Mo., on 4-12-76. v								
5-14	Order, filed, overruling deft's mot. for deferred time to start sentence. (AEB-J)g cp mld.								

LETTER CODES

For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).

B. NARA Examination (28 U.S.C. 2902).

C. State or Federal trials on other charges.

D. Interlocutory Appeals.

E. Hearings on pretrial motions.

F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).

G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h)(1)(G).

H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.

I. Prosecution deferred by mutual agreement.

M. Unavailability of defendant or essential witness.

N. Period of mental or physical incompetence of defendant to stand trial.

O. Period of NARA Commitment or Treatment.

P. Superseding indictment and/or new charges.

R. Defendant awaiting trial of Co-defendant when no severance has been granted.

T. Continuances Granted per 3161(h)(8), (i.e. ends of justice or complexity of case outweighs defendants' interests).

U. Time between guilty plea and plea withdrawal.

V. Time while moving prisoners from state institutions per transfer/detainer procedure.

W. Grand Jury indictment extended per 3161 (b).

Y. Any delay excluded by court order for reason not included above.